

Appl. No. 10/761,315
Amdt. dated February 1st, 2006
Reply to Office action of November 1st, 2005

REMARKS / ARGUMENTS

The Examiner has rejected claims 2 to 6 and 8 to 18 under 35 U.S.C. 103(a) as being unpatentable over Sheasby *et al.* (US patent No. 6,473,094) in view of Kasson (US patent No. 5,473,740).

In response to the Examiner's action, independent claims 13, 15 and 16 have been modified to better define the invention, and make sure that all expressions therein have a proper antecedent. It will be clear to the Examiner that no new matter has been added through this amendment as the elements thereof have been simply rearranged to clarify their meaning.

Dependent claims 2 to 6, 8 to 12, 14, 17 and 18 have been also amended for clarity and to make sure all expressions therein have a proper antecedent in the current wording of base independent claims 13 or 15.

New dependent claim 19 has been added to cover a preferential characteristic formally introduced in claim 6. Similarly, claim 20 covers the same characteristic from the former subject matter of claim 12.

The Examiner has stated that Sheasby discloses all the elements of either claim 13, 15 or 16 with the exception of "hiding any portion of said image outside of said bounding frame". The Applicant however strongly contests that this is the only difference between the claimed subject matter and the teachings of Sheasby.

The Examiner will note that a video presentation illustrating the differences in application of the methods disclosed in Sheasby, Kasson and the present application has been prepared by the Applicant and is available on the Web through the following link:

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www.lumapix.com/deleteme/patent/10-761-315-Discussion.html

If playback of the video fails, the Macromedia Flash player may need to be installed. It is available at the following link:

www.macromedia.com/shockwave/download/download.cgi?P1_Prod_Version=ShockwaveFlash

The Examiner is strongly invited to consult this video presentation as the demonstration therein will illustrate better than any written argument ever could how the method of the present invention differs drastically from the teachings of the prior art.

Claims 13, 15 and 16 as they now stand each include a step of cropping the image by moving the pointing device, thereby creating a cropped image, the cropped image continuously filling the bounding frame and an aspect ratio thereof being maintained equal to an aspect ratio of the bounding frame as said image is being cropped, said image being thereby either zoomed in or zoomed out within said boundary frame simultaneously to said cropping.

Sheasby teaches a method and system for editing digital information using a comparison buffer. An image is captured in this comparison buffer and displayed in comparison view with a source thereof. The comparison view can be manipulated to be resized or repositioned. These operations are performed independently of each other using techniques well known in the art. The independent character of these operations has been noted by the Examiner himself, as explained at page 5, lines 4 to 6 of the outstanding Office Action:

"The edge can be dragged from any of the four sides of comparison view and from the corners by appropriate mouse clicks and manipulations The sizing of comparison view can also be changed by scaling, rather than by cropping." (emphasis added)

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By comparison, the present invention allows the manipulation of an image where the image is zoomed in and out within a boundary frame simultaneously to it being cropped. The boundary frame is never modified through this operation. Its position and dimensions remain the same throughout the entire operation. The present invention therefore allows for the image itself to be easily manipulated within the confines of the boundary frame. This is a radical departure from the teachings of the prior art. Sheasby does not describe a specific manner of obtaining the same result. Should one skilled in the art attempt to do so using the tools provided by Sheasby, he or she would most likely have to perform the following operations:

- capture an image in the comparison buffer;
- crop the comparison buffer to a desired size;
- manipulate a "scale" control which zooms the comparison buffer from the center.

Since the user would not see the final result during the cropping, it could be necessary to perform some of these steps more than once to obtain the desired final image.

By contrast, in one embodiment of the present invention, all of these manipulations can be replaced by first selecting the image to be cropped by defining the boundary frame therearound, and simply "click and drag" one of the corners of this frame to the appropriate position on the defined image. The user sees the final result in real time as he executes the cropping.

Kasson does not teach the above-mentioned elements of the present invention either. Kasson also teaches that cropping is accomplished by changing a boundary. In this case, the cropping operation again involves manipulating the frame of the image being cropped. In addition, Kasson requires for the user to accept the modifications made in order to see the fully-cropped image. This again involves more manipulations and more uncertainties than the simple process of the present invention.

In view of the above, it is therefore clear that neither Sheasby nor Kasson teaches of a method or system where an image is cropped by moving a pointing device and where the cropped image is

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continuously filling the boundary frame as the image is being cropped so that the image is either zoomed in or zoomed out within the boundary frame simultaneously to the cropping. As such, the present invention is therefore believed new and inventive over the teachings of the cited prior art.

As all other pending claims are dependent on either one of claims 13 or 15, the Examiner's objections with regard thereto are considered moot.

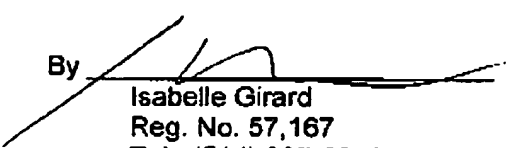
It is respectfully submitted that the present amendment places this application in immediate condition for allowance and a notice to the effect is earnestly solicited.

Should any issues remain outstanding, and which could be resolved by way of a telephonic interview, the Examiner is kindly invited to contact the undersigned.

Respectfully submitted,

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